



General Assembly

**Substitute Bill No. 752**

January Session, 2009

\* SB00752APP 042809 \*

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE  
CONCERNING ASSESSMENT OF THE NEEDS OF AGING  
INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 19a-498b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2009*):

4 (a) The Department of Public Health, [shall,] when conducting its  
5 annual survey of a nursing home that has admitted a resident or  
6 residents who have been administered a level two assessment, shall  
7 review a sample of residents with level two assessments and compare  
8 the services recommended for any such resident in the level two  
9 assessment with the actual services being provided to such resident as  
10 reflected in such resident's plan of care. The department shall ensure  
11 that the results of any such comparison pertaining to a resident who is  
12 a client of the Department of Developmental Services or who may  
13 qualify for services from said department are provided to the  
14 Commissioner of Developmental Services, or the commissioner's  
15 designee. In any case where the Department of Public Health finds that  
16 the recommended services are not being provided by a nursing home  
17 to a resident with mental retardation, the Department of Public Health

18 shall document for the benefit of the Commissioner of Developmental  
19 Services, or the commissioner's designee, the reasons why such  
20 services are not being provided. The Commissioner of Developmental  
21 Services, or the commissioner's designee, shall, within existing  
22 budgetary resources, use his or her best efforts to ensure the resident is  
23 provided with the recommended services. The [department]  
24 Department of Public Health shall include the results of any such  
25 comparison, as well as any regulatory violations found by the  
26 department during an inspection, in the survey of such nursing home.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2009	19a-498b(a)
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**APP**      *Joint Favorable Subst.*